

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM M. DANIELS, JR.,	)	
	)	Civil Action No. 06 - 741
Petitioner,	)	
	)	
v.	)	Judge David S. Cercone /
	)	Magistrate Judge Lisa Pupo Lenihan
HENRY WILSON, Superintendent, and THE	)	
DISTRICT ATTORNEY OF ALLEGHENY	)	
COUNTY and THE ATTORNEY GENERAL	)	
OF THE COMMONWEALTH OF PA,	)	
	)	
Respondents.	)	

**ORDER**

Petitioner in this habeas corpus action has requested that his Petition be stayed until his underlying Post-Conviction Relief Act ("PCRA") Petition filed with the state courts is concluded. His initial PCRA petition was denied by the trial court. However, on March 8, 2006, the Pennsylvania Supreme Court granted Petitioner's Petition for Allowance of Appeal. Respondent's concur that the present matter is appropriately delayed until the state court review of the PCRA petition is complete. This Court concurs. Therefore,

**IT IS HEREBY ORDERED** that Request for Stay is **GRANTED**.

**IT IS FURTHER ORDERED** that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

November 1, 2006  
Date

s/Lisa Pupo Lenihan  
Lisa Pupo Lenihan  
United States Magistrate Judge

cc: William Daniels, Jr.  
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Counsel of record.